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Possible RCRA Involvement at Carrier Air Conditioner
located in Collierville, TN.

Ben Moore, Env. Scientist *Ben Moore*
West Unit

Doyle T. Brittain, Chief
West Unit

The above-mention subject has been investigated. Comments on the results
of that investigation are listed below:

Facility Background

Carrier Air Conditioner manufactures residential air conditioning units
in 2 through 5 ton sizes, including heat pumps, remote and split air
conditioners, and package equipment. The plant does sheet metal and
coil fabrications, assembles and processes the units, and crates them
for final shipment. Processes include degreasing operations for coil
fabrications, painting, and large appliance finishing operations.

- In November 1980, Carrier Air Conditioning notified under RCRA as
a generator and a TSD facility by way of a Part A interim status
application.
- On January 4, 1982, Carrier requested withdrawal of TSD status indicating
that they were a protective filer. Presently, Carrier is classified as a
small quantity generator.

Contamination Information

Three potential sources of trichloroethylene (TCE) contamination:

- 1) A wastewater lagoon closed in early November 1980 (reportly pre-RCRA),
- 2) A spill of TCE from a degreaser in 1979, and,
- 3) A sudden uncontrolled discharge of TCE from the rupture of an underground
pipe in January 1985. (No soil cleanup-recovered 350 gal from 1000 gal spilled)
One or all of these sources are responsible for the contamination of 2 wells of
the City of Collierville's water system.



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Present Data

- Water from the two contaminated wells is being aerated before being pumped to the city treatment plant. Test results as of July 1988 are listed below (ppb):

<u>Date</u>	<u>East Well</u>	<u>West Well</u>	<u>AA BC</u>	<u>Finished Water</u>	<u>STD</u>	<u>Dwel</u>
July	12.00	3.4	2.35	--	5	260
	5.2	10.2	1.75	--		

- AABC - Aeration before chlorination in treatment plant
- STD - Drinking water standard
- DWEL - Drinking Water Equivalent Level lifetime ingestion; assuming 100% exposure from drinking. At least 1/2 of this value is needed to place public on alternative water supply.

Enforcement Activities

- June 1987 - Carrier made Update #7 for CERCLA "NPL". (Scored 35.57)
- November 1988 - CERCLA Notice letter
- January 13, 1989 - Negotiation meeting between Carrier, ORC and CERCLA personnel.
- March 2, 1989 - CERCLA Special Notice letter
- March 31, 1989 - Carrier response letter requesting that clean-up activities at the site be administered under RCRA §3008(a) and not §3008(h). However, Carrier would be willing to use the corrective action Model of §3008(h) as the basis for planning only.
- April 28, 1989 - Second Negotiation meeting between Carrier, ORC, CERCLA and Mr. Tobin.

Conclusion/Recommendation

- After reviewing all the above information and talking with Chuck Pietrosewicz of The Agency for Toxic Substances and Disease Registry (ATSDR) a §7003 Imminent Hazard Order is not warranted in this case due to the level of TCE in the drinking water after treatment.
- Because of the 1985 spill Carrier could be in violation of §262.34 (Generators) for not cleaning up the hazardous waste and any contaminated materials or soil. Thereby, creating a land unit which will subject them to post-closure requirements for §264 (TSD) and to permitting requirements for §270 (Permit Programs).

There are three ways to approach and/or solve this situation, they are:

1. Due to the 1985 spill and the creation of a land unit thru the illegal disposal of the TCE we could;
 - i) issue a §3008(a)
 - ii) collect a penalty
 - iii) perform corrective actions at the new land unit and,
 - iv) the lagoon could be treated as a SWMU (3004(v)).

2. Since the facility had an interim status permit and a release did occur (1985) then;
 - i) issue a §3008(h) order (with thier consent)
 - ii) reference §106 of CERCLA in the order, or
 - iii) issue an unilateral order.

3. Let CERCLA retain lead with RCRA clean-up standards in the order.

Note: A five-year statute of limitation is applicable for the 1985 spill area.

ORC is presently drafting an unilateral order for this facility.